

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

COUNTY OF SHELBY, et al.,
Plaintiffs,
SHELBY COUNTY BOARD
OF EDUCATION, et al.,
Intervening Plaintiffs,
HERMAN COX, et al.,
Intervening Plaintiffs,
VS.
CHARLES W. BURSON, et al.,
Defendants.

NO. 96-2491-TUA

CERTIFIED TRUE COPY
ROBERT A. DI TOLIO
U.S. DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

BY J. H. [Signature]
DEPUTY CLERK

JUDGMENT

Decision by Court. This action came for consideration before the Court. The issues have been duly considered and a decision has been rendered.

IT IS THEREFORE ORDERED AND ADJUDGED, in accordance with the Order on Motions and Cross-Motion for Summary Judgment, docketed August 15, 1996, that:

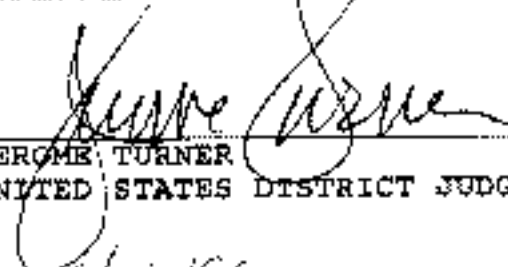
1. Tennessee Code Annotated § 49-2-201(a)(1) under the undisputed facts here presented, and as applied in light of Article XI, § 17 of the Tennessee Constitution and interpretive Tennessee Supreme Court case law to mandate the county-wide popular election of Shelby County School Board members, is declared to constitute

unlawful vote dilution in violation of the Equal Protection Clause of the Fourteenth Amendment;

2. The seven district plan (Plan C) approved by the Shelby County Board of County Commissioners on May 2, 1996, pursuant to Tenn. Code Ann. § 49-2-201(a)(1), is declared invalid; and

3. The defendants are enjoined from implementing a county-wide election of Shelby County School Board members, and specifically from implementing Plan C.

APPROVED:



JEROME TURNER
UNITED STATES DISTRICT JUDGE

DATE

8/21/96

ROBERT R. DITROLIO
CLERK


(By) DEPUTY CLERK